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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Application of:) JUN 07 2004
Ryan Xue and Kenji Kosaka) Group Art Unit: 3636 **OFFICE OF PETITIONS**
Application No. 09/986,213)
Filed: October 22, 2001) Examiner: Sarah C. Burnham
For: *Apparatus and Method for Cyclic*)
Adjustment of a Supporting Element in a Seat)
Attorney Docket No.: 41575-114/29337) June 1, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED
PATENT APPLICATION UNDER 37 C.F.R. § 1.137(b) AND
RESPONSE TO OFFICE ACTION

Dear Sir or Madam:

Applicants respectfully petition for the revival of the above-identified patent application pursuant to 37 C.F.R. § 1.137(b), which was unintentionally abandoned.

I. REQUIRED REPLY

A reply to the outstanding Advisory Action, dated August 12, 2003, is attached

hereto pursuant to 37 C.F.R. § 1.137(b)(1).

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II. PETITION FEE

The petition fee of \$1,330.00, pursuant to 37 C.F.R. § 1.137(b)(2) and 37 C.F.R. § 1.17(m), is enclosed herewith.

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III. THE ABANDONMENT OF THE PRESENT APPLICATION WAS UNINTENTIONAL

The applicants hereby state that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

In this case, applicants filed a Notice of Appeal on September 25, 2003. The time for filing an Appeal Brief was inadvertently left off the practitioner's docket. The Examiner telephoned the applicant's representative on April 26, 2004. Applicant's representative spoke with the Examiner on April 27, 2004 wherein the Examiner notified the representative that the application had gone abandoned. The abandonment of the application was unintentional.

IV. CONCLUSION

A check in the amount of thirteen hundred thirty dollars (\$1,330.00) is enclosed to cover the petition fee as set forth in 37 C.F.R. §1.17(m). The Commissioner is hereby authorized to charge any deficiency and credit any overpayment to **Deposit Account No. 08-3460** upon successful revival of this Application.

The undersigned submits that the present application became unintentionally abandoned and requests that the application be revived. If there are any questions or comments about this Petition, please contact the undersigned.

Respectfully submitted,

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